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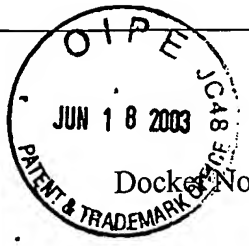

Docket No. **1250.04**

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

WILLIAM A. DODD, JR.

Serial No.: **10/065,467**

Filed: **07/26/2002**

For: **Fleet Maintenance Method**

Art Unit: **2121**
Director: **Patel, Ramesh**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF PETITION TO MAKE SPECIAL

1. Transmitted herewith is a Petition to Make Special for this application.

FEE DEFICIENCY

2. If any additional extension and/or fee is required, charge Account No. 500745.

Signature of Practitioner
Anton J. Hopen
Smith & Hopen, P.A.
15950 Bay Vista Drive, Ste. 220
Clearwater, FL 33760

Reg. No. 41,849
Tel. No.: (727) 507-8558

CERTIFICATE OF MAILING
(37 C.F.R. § 1.10)

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as Express Mail Service Label No. **EV310905888US** in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **June 18, 2003.**

Date: June 18, 2003

Shelley Butz
Shelley Butz

Practitioner's Docket No. 1250.4 *PATENT*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	William A. Dodd, Jr.		
Application No.:	10/065,467	Group No.:	2121
Filed:	07/26/2002	Examiner:	Patel, Ramesh
For:	Fleet Maintenance Method		

Assistant Commissioner for Patents
Washington, D.C. 20231

PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER M.P.E.P. section 708.02, VIII

1. Petition

Applicant hereby petitions to make this continuation-in-part application, which has not received any examination by the Examiner, special. Applicant requests that the petition to make special be granted under M.P.E.P. section 708.02, VIII. The discussion and comments that follow are not intended to defend the patentability of the referenced patent application and as such do not give rise to patent prosecution history estoppel.

2. Claims

All the claims in this case are directed to a single invention. If the Office determines that all the claims presented are not obviously directed to a single invention, then applicant will make an election without traverse as a prerequisite to the grant of special status.

3. Search

The search was performed in the U.S. Patent and Trademark Office (PTO) in Washington, D.C. by Patent Providers, a professional search firm. United States Patent Examiner Rhinehart of class 709 and 340 were consulted regarding the field of search.

Class 340, subclasses 825.06 and 825.17;
Class 700, subclasses 9 and 108;
Class 702, subclasses 188; and
Class 709, subclasses 224.

Patent References:

Inventor	Patent Number	Year
Beason	4,398,142	1983
Verma et al.	4,833,618	1989
Vanourek et al.	4,949,272	1990
Hyuga	PCT/JP94/00288	1999
Robins et al.	5,049,873	1991
Dix, Jr.	5,053,768	1991
Bonito et al.	5,095,430	1992
Halpern	5,301,122	1994
Palusamy et al.	5,311,562	1994
Braitberg et al.	5,479,479	1995
Paul	5,524,081	1996
Nicol et al.	5,548,273	1996
Zeytoonjian et al.	5,610,586	1997
Worger et al.	5,664,113	1997
Koropitzer et al.	5,694,323	1997
Kuroda et al.	5,757,643	1998
Kuroda et al.	5,777,895	1998
Otani	5,783,748	1998
Hyuga	5,797,809	1998
Login et al.	5,799,281	1998
Camhi	5,825,283	1998
Kuroda et al.	5,859,778	1999
Thieret et al.	5,923,834	1999
Dodd, Jr. et al.	5,930,742	1999
Crater et al.	5,975,737	1999
Sandifer	5,987,474	1999
Brodbeck	5,997,170	1999
Vines et al.	6,006,171	1999
Wright et al.	6,047,165	2000
Sharrow	6,061,668	2000
Crook	PCT/US01/22650	2001
Kawasaki et al.	6,348,007 B2	2002
Coles	6,359,431 B1	2002
Rudow et al.	6,470,242 B1	2002
Pippin	6,496,141 B2	2002
Meifu et al.	US 2002/0004723 A1	2002
Rider	US 2002/0116140 A1	2002

3. Copy of references

There is submitted herewith a copy of the references deemed most closely related to the subject matter encompassed by the claims.

Also attached is Form PTO-1449. (PTO/SB/08A and 08B)

4. Detailed discussion of the references

There is submitted herewith a detailed discussion of the references, which discussion particularly points out how the claimed subject matter is distinguishable over the references.

Also attached is a copy of the Information Disclosure Statement previously filed with the application. Copies of references already filed and of record are not included herewith. MPEP §708.02(VIII)(D).

The present application claims a novel method for optimizing golf car deployment including the steps of: (1) recording golf car usage record based on axle revolutions; (2) associating a golf car identification with the usage record; (3) communicating the usage record and associated identification to a data store; (4) calculating total usage data for each golf car identification; and (5) reporting total usage data. More specifically, Applicant claims an improved method for maintaining and monitoring the productivity and profitability of golf courses and their fleet system. Specifically, the current invention monitors the productivity of identifiable golf carts through the degree of usage based on axle revolutions. *Dodd* at Paragraph [0005]. Thus, the user can be accurately charged for the amount of rounds played and the golf carts can be deployed according to usage history. *Id.* at Paragraphs [0005], [0015]. For instance, the golf cart with less recorded axle revolutions will be deployed before one with more axle revolutions, thereby helping to insure equal usage and equipment reliability. *Id.* at Paragraph [0013]. Deployment priority is communicated through a visual indicator. *Id.* at Paragraph [0015]. Visual indicators can include light emitting diodes (LED) or a liquid crystal display (LCD). *Id.*

at Paragraph [0015]. In addition, other data, such as warranty data, maintenance records, as well as, battery, age and golf course information may also be recorded and stored. *Id.* at Paragraph [0006]. Regarding battery information, the LCD would provide a visual display of the appropriate battery capacity levels. *Id.* at Paragraph [0015]. In doing so, a high performance level is assured upon deployment. *Id.* Further, golf course operations and management may be rendered more efficient through the implementation of this novel method. *Id.* at Paragraph [0018]. By utilizing the appropriate database, the manger will be able to schedule increased maintenance on days when golf cart deployment have been assessed to be low and schedule increased staffing on the typically high deployment days. *Id.* at Paragraph [0025]. As such, implementing this novel fleet maintenance method would help to ensure optimal golf cart performance and help to maintain golf course profitability.

The following discussion of the references points out with the particularity required by 37 CFR §1.111(b) and (c), how the claimed subject matter is patentable over the references.

U.S. Patent No. 6,002,729 to *Dodd, Jr. et al.* describes a system of reporting and processing raw data retrieved using a hubmeter. (Column 2, lines 22-23). Attached to the hubmeter is a built-in PC board and microcomputer. (Column 2, lines 36-39). Raw data is collected as the PC board rotates in direct communication with the rotation of the vehicle wheel. (Column 2, lines 38-41). Additionally, the microcomputer reads and stores the rotational count total during periodic timed intervals. (Column 2, lines 49-53). Data is then processed, printed and used to: 1) help monitor vehicle usage, 2) determine when to schedule maintenance, and 3) ensure equivalent vehicle usage. (Column 2, lines 29-35). The C-I-P implements a mechanism similar to that of an odometer based on golf cart axle rotation. *Dodd*, CIP at Paragraph [0007]. The usage data is then stored in an electronic medium where individual golf cart data may be compared for both sales and usage. The '729 patent does not describe a method for comparing sales and usage data claimed by the present application.

U.S. Patent Application Publication No. US 2002/011614 A1 to *Rider* describes a method for testing monitoring battery power. *Rider* at Paragraph [0010]. The battery pack, for electrical or

hybrid vehicles, is comprised of a plurality of batteries. *Id.* at Paragraph [0011]. Each individual battery is tested and monitored, wherein, if the battery falls below the average parameter range, an alert signal is provided for. *Id.* at Paragraph [0012]. The battery management system can be in communication with a computer system, thereby providing battery pack information and related data to the appropriate persons. *Id.* at Paragraph [00013]. In contrast, the present invention claims a method of battery power evaluation while the battery is enabled. *Dodd* at Paragraph [0022]. The data is then presented to the operator in text and graphic form. *Id.* By doing so, the operator is able to properly change failing batteries before equipment performance level falls below the normal operating level. *Id.* at [0023].

U.S. Patent Application Publication No. 6,470,242 B1 to *Rudow* describes, among other things, a method of compiling data for management information reporting. (Column 5, lines 62-63). The '242 publication describes a method to identify each individual roving unit, as well as, the ability to compile statistical data for improved course operations and revenues. (Column 5, lines 47-58). According to the '242 publication the individual the golf cart, or roving unit, is identified via an assigned unique identification number. (Column 6, lines 13-15). The identification number is transmitted by the system to the course administrator. (Column 6, lines 8-15). As distinguished, the present invention claims direct, visual identification of the golf cart through a light emitting diode or liquid crystal display and discards the step taught by the '242 publication of transmitting ID information to the relevant administrator. *Dodd* at Paragraph [0015]. In addition, although the '242 publication describes a method that would increase revenue, there is no mention of implementing cart usage and battery power data to accomplish such a task.

United States Patent No. 4,833,618 to Verma et al. describes a utility meter monitoring system which counts each rotation of the least significant dial of one or more utility meters at a particular premise. (Col. 2, lines 21-23). At predetermined billing intervals, the system dials out to a central office using the resident's telephone line to upload meter usage information. (Col. 2, lines 26-30). The system specifically discloses use of a magnetic sensor to count rotations,

similar to a hubmeter. (Col. 4, lines 43-46). The Verma et al. technology precedes pure digital communication over a WAN and accordingly utilizes analog telephone lines as its transmission medium. On the software side, its Remote Data Unit (RDU) software records usage, status, and report time. (Col. 8, lines 62-63). The RDU is the equivalent of the "client-side" application as would reside on the golf car. The "server-side" implementation of the Verma et al. patent is termed the Utility Data Processor (UDP) which simply records usage and time data supplied by the RDU and associates it with the correct customer record for billing purposes. (Col. 12, lines 52-57).

United States Patent No. 5,311,562 to Palusamy et al. describes a plant maintenance method with predictive maintenance scheduling utilizing sensors coupled to monitor processes and equipment. (Col. 4, lines 11-12). Data from the sensors is collected to assess operational conditions and for predicting maintenance requirements based on the loading of the equipment. (Col. 4, lines 13-15). A processor compares the actual usage to historical data and the technical specifications for the particular equipment to generate alert reports. (Col. 4, lines 20-28).

United States Patent No. 5,664,113 to Worger et al. describes a working asset management system wherein identification tags are associated with each working asset in an inventory. (Col. 3, lines 13-15). Working assets are defined in the patent as including vehicles, machines, equipment, tools and the like. (Col. 1, lines 14-15). The Worger patent tracks asset usage by entry and egress from a portal. (Col. 4, lines 35-42). A monitoring system is described to sense fuel level, mileage, electrical system voltage and the like. (Col. 6, lines 25-27). Gathering hours of operation is also described. (Col. 6, lines 44-45). This would certainly be analogous to placing a hubmeter off a gear in a machine to monitor usage. Furthermore, wireless transmission of this information is described as well. (Col. 5, lines 56-64).

Applicant believes the remaining references to be immaterial to the patentability of Applicant's invention. However, a brief discussion of each reference is provided to illustrate the field of search. International Application No. PCT/JP94/00288 to *Hyuga* describes a system of tracking golf scores, weather conditions and other golfer-friendly assistance programs, all

displayed on an LCD screen. U.S. Patent No. 5,095,430 to *Bonito et al.* describes a golf cart computer with mountable display screen. However, the '430 patent describes a method that stores individual player and golf course information such as scores and sand-trap locations. U.S. Patent No. 5,524,081 to *Paul* describes a method utilizing a GPS system to track the location of the golf cart or player relative to golf course landmarks and provides yardage estimate information. U.S. Patent No. 5,610,586 to *Zeytoonjian et al.* describes a method of monitoring the location of roving units or golf carts within a pre-selected area. In addition, the '586 patent describes a method that records how long and how often a unit enters a restricted area while providing visual and auditory alarms upon entering the aforementioned area. U.S. Patent No. 5,797,809 to *Hyuga* teaches a golf course guidance method that includes a LCD and tabulation means. Although the present invention also claims a tabulation means, the '809 patent teaches that the tabulation means be used by golf players and not by golf course administrators or managers. For instance, according to the '809 patent, player scores are tabulated while the present invention claims the tabulation of golf cart usage and battery power levels. U.S. Patent No. 6,348,007 to *Kawasaki et al.* teaches a method of identifying the location of golf carts and utilizes a player status table. U.S. Patent No. 6,359,431 to *Coles* describes a speedometer or odometer attachment capable of measuring drive distance and calculating remaining fairway. U.S. Patent No. 6,496,141 to *Pippin* describes utilizing a GPS with large display screen to provide information on golf course distance and golf cart positions. U.S. Patent Application No. 09/779,278 to *Meifu et al.* describes a system of communication using a data center that transmits and receives data from a portable terminal. International Application No. PCT/US01/22650 to *Crook* describes a method of managing a golf course through the use of impulse radio.

Section 102 of the United States Patent Laws provides in relevant part:

> A person shall be entitled to a patent unless . . . the invention was known or used by others in this country, or patented or described in a written publication in this or a foreign country . . .

None of the references obtained in the prior art search anticipate Applicant's invention.

Section 103 of the United States Patent Laws provides in relevant part:

> A patent may not be obtained . . . if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

No combination of references obtained in the prior art search teach or suggest Applicant's invention

Accordingly, Applicant respectfully requests that this application be made special for examination purposes.

5. Fee

The fee required by 37 C.F.R. 1.17(i) is to be paid by the attached check for $130.00

Anton Hopen
Registration No. 41,849
Smith & Hopen, PA
15950 Bay Vista Drive
Suite 220
Clearwater, FL 33760
727-507-8558

Date: June 18, 2003